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In the December 6 Office Action, the Examiner requested that any response be accompanied by a 3½ inch IBM format floppy disk containing a duplicate copy of the response. In accordance with this request, such a floppy disk accompanies this response.

The subject application is a continued prosecution application (CPA) filed September 14, 2000. Pursuant to 35 U.S.C. §103(c), which was amended effective Nov. 29, 1999 (Public Law 106-113),

Both the subject application and the Jones reference were owned by, or subject to an obligation of assignment to, the same person at the time the invention of the subject application was made. Given that the filing date of the subject application is after November 29, 1999, Applicant respectfully submits that the Jones patent, is not a useable prior art reference under 35 U.S.C. §103(a) for the subject application.

1 Applicant respectfully submits that Kubo alone does not disclose or suggest  
2 the subject matter of claims 1-39. Thus, given that Jones is not a useable prior art  
3 reference under 35 U.S.C. §103(a) for the subject application, Applicant  
4 respectfully submits that claims 1-40 are allowable over the cited references.

5 Claims 1-40 are in condition for allowance. Applicant respectfully requests  
6 reconsideration and issuance of the subject application. Should any matter in this  
7 case remain unresolved, the undersigned attorney respectfully requests a telephone  
8 conference with the Examiner to resolve any such outstanding matter.

9  
10 Respectfully Submitted,

11 Date: March 5, 2001

12 By: 

13 Allan T. Sponseller  
14 Reg. No. 38,318  
15 (509) 324-9256  
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